

CHAPTER 204

GOVERNMENT - STATE

HOUSE BILL 05-1146

BY REPRESENTATIVE(S) Massey, Borodkin, Coleman, Frangas, Hoppe, Jahn, Kerr, Knoedler, Liston, Madden, Marshall, McFadyen, McGihon, Merrifield, Ragsdale, Riesberg, Stafford, Sullivan, and Todd;
also SENATOR(S) Hagedorn and Spence.

AN ACT

CONCERNING THE CREATION OF INCENTIVES FOR THE MOTION PICTURE INDUSTRY TO WORK IN COLORADO.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Article 48.5 of title 24 Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

24-48.5-107. Film production companies - contact - registration - definitions.
(1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "COMMERCIAL ADVERTISING PRODUCTION" MEANS THE PRODUCTION OF A FILM THAT IS CREATED TO PROMOTE SPECIFIC BRANDS, PRODUCTS, SERVICES, RETAILERS, OR ADVOCACY POSITIONS. COMMERCIAL ADVERTISING PRODUCTION DOES NOT INCLUDE THE PRODUCTION OF A FILM THAT IS FOR THE PURPOSE OF ADVOCATING THE ELECTION OR DEFEAT OF A CANDIDATE OR SUPPORTING OR OPPOSING A BALLOT ISSUE OR BALLOT QUESTION.

(b) "FILM" MEANS ANY VISUAL OR AUDIOVISUAL WORK THAT CONTAINS A SERIES OF RELATED IMAGES, THAT IS FIXED ON PHOTOGRAPHIC FILM, VIDEOTAPE, COMPUTER DISC, LASER DISC, OR A SIMILAR RECORDING MEDIUM FROM WHICH IT CAN BE VIEWED OR REPRODUCED, AND THAT IS A COMMERCIAL ADVERTISING PRODUCTION OR IS SHOWN IN THEATERS, LICENSED FOR TELEVISION BROADCASTING, OR LICENSED FOR THE HOME VIEWING MARKET.

(c) "PRODUCTION ACTIVITIES" MEANS THE SHOOTING OF A FILM, SUPPORT ACTIVITIES RELATED TO SUCH SHOOTING, AND ANY PRESHOOTING OR POSTSHOOTING ACTIVITIES THAT ARE NECESSARY TO PRODUCE A FINISHED FILM, INCLUDING BUT NOT

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

LIMITED TO EDITING AND THE CREATION OF SETS, PROPS, COSTUMES, AND SPECIAL EFFECTS.

(d) "PRODUCTION COMPANY" MEANS A PERSON, INCLUDING A CORPORATION OR OTHER BUSINESS ENTITY, THAT ENGAGES IN PRODUCTION ACTIVITIES FOR THE PURPOSE OF PRODUCING ALL OR ANY PORTION OF A FILM IN COLORADO.

(2) THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT, OR A DESIGNEE OF THE DIRECTOR OF THE OFFICE, SHALL SERVE AS THE INITIAL CONTACT FOR ANY PRODUCTION COMPANY THAT IS ENGAGED IN PRODUCTION ACTIVITIES IN THE STATE FOR THE PURPOSE OF PRODUCING ALL OR ANY PORTION OF A FILM IN THE STATE. THE OFFICE, OR A DESIGNEE OF THE DIRECTOR OF THE OFFICE, SHALL AID ANY PRODUCTION COMPANY IN OBTAINING REQUIRED PERMITS, COORDINATING NECESSARY STATE RESOURCES, SCHEDULING THE USE OF STATE HIGHWAYS OR OTHER STATE-OWNED PROPERTY, ENSURING THAT ANY FEES IMPOSED BY ANY DEPARTMENT, DIVISION, OR ENTITY OF STATE GOVERNMENT ARE WAIVED FOR THE PRODUCTION COMPANY PURSUANT TO SUBSECTION (3) OF THIS SECTION, AND SHALL OTHERWISE ASSIST A PRODUCTION COMPANY IN FILMING ALL OR A PORTION OF A FILM IN THE STATE.

(3) NOTWITHSTANDING REQUIREMENTS OTHERWISE SPECIFIED IN LAW, ANY PERMIT FEE THAT IS IMPOSED BY ANY DEPARTMENT, DIVISION, OR ENTITY OF STATE GOVERNMENT SHALL BE WAIVED FOR ANY PRODUCTION COMPANY THAT IS PARTICIPATING IN PRODUCTION ACTIVITIES IN THE STATE.

(4) THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT SHALL SATISFY THE REQUIREMENTS OF THIS SECTION WITHIN THE EXISTING RESOURCES OF THE OFFICE.

(5) THE DIRECTOR OF THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT MAY DESIGNATE A PERSON, A PUBLIC OR PRIVATE ENTITY, OR A VENTURE BETWEEN PUBLIC AND PRIVATE ENTITIES TO BE RESPONSIBLE FOR FULFILLING THE REQUIREMENTS OF THIS SECTION.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 1, 2005